

February 01, 2022

Nathan Ochsner, Clerk of Court

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

§

VS.

§

CRIMINAL NO. H-21-CR-389-S

**JANSEL ARCE and
LEMAY JAVIER PALOMO-PACHECO**

§
§
§

FIRST SUPERSEDING INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT ONE

**Title 18, United States Code, §§ 2119 and §§2 -
Aiding and Abetting Carjacking**

On or about December 13, 2020, in the Houston Division of the Southern District of Texas,

**JANSEL ARCE and
LEMAY JAVIER PALOMO-PACHECO**

defendants herein, aiding and abetting each other, with the intent to cause death and serious bodily harm, did intentionally take a motor vehicle, namely, a white 2021 Mercedes-Benz GLE, that had been transported, shipped, and received in interstate and foreign commerce, from the person and in the presence of another, namely, Nazif Farsak, by force and violence and by intimidation, in violation of Title 18, United States Code, Sections 2119 and 2.

COUNT TWO

**Title 18, United States Code, §§ 924(c)(1)(A) and §§2 -
Aiding and Abetting Use, Carry, Brandish and Discharge of a Firearm
During and in Relation to a Crime of Violence**

On or about December 13, 2020, in the Houston Division of the Southern District of Texas,

**JANSEL ARCE and
LEMAY JAVIER PALOMO-PACHECO**

defendants herein, aiding and abetting each other, did knowingly use and brandish, a firearm, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the crime of aiding and abetting carjacking as set forth in Count One above and adopted herein, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii), (3)(A) and 2.

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), the United States of America hereby gives notice that upon conviction of Possession of a Firearm During a Crime of Violence, as charged in Counts Two, all firearms and ammunition involved in or used in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii), are subject to forfeiture.

A TRUE BILL

ORIGINAL SIGNATURE ON FILE

GRAND JURY FOREPERSON

JENNIFER LOWERY
UNITED STATES ATTORNEY

By:



Erin M. Epley
Assistant United States Attorney
Southern District of Texas